

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

IN RE:

Lawrence Boyd
Odessa Boyd

Case No. 20-05182
Chapter 13
Judge A. Benjamin Goldgar (Lake)

Debtors,

RESPONSE TO DEBTORS' OBJECTION TO CLAIM NO. 9 (FLAGSTAR BANK, FSB)

Secured Creditor, Flagstar Bank, FSB (herein “Creditor”), by and through its undersigned counsel, submits the following response opposing the Debtors’ Objection to Claim No. 9 (Flagstar Bank, FSB):

1. Jurisdiction and venue are proper and fixed within this Honorable Court.
2. The Debtors filed a Chapter 13 bankruptcy on February 26, 2020.
3. On May 4, 2020, Movant filed a proof of claim in the above captioned case.
4. Creditor’s counsel has been in constant contact with Creditor in regards to both the objection to the proof of claim, and the escrow analysis contained within the proof of claim.
5. Creditor has reanalyzed the future escrow and future payments, but seeks more time to rectify the escrow portion of the claim on file.
6. The issue is that despite the Debtor, Lawrence Boyd, being a disabled veteran, the proof of tax exempt status that the Debtor provided was for the 2019 taxes, and those taxes are payable in 2020.
7. The loan was a service transfer loan, and the client is researching the prior

year's taxes.

8. Creditor may need further proof of exempt status for the prior year's taxes from the Debtors due to the prior service transfer, despite that the Debtors may be completely tax-exempt for those prior years.
9. The delay in time to fix said issues has been due to remote work of the necessary parties due to Covid-19.
10. Creditor therefore seeks additional time and documentation of the prior years to rectify the issue.

THEREFORE, Secured Creditor, Flagstar Bank, FSB, respectfully requests that this Honorable Court enter its Order:

- a. Denying Debtors' objection; and granting additional time for the Creditor to rectify the claim,
- b. Awarding such other and further relief in favor of Creditor as the Court deems appropriate under the facts and circumstances of this case.

Dated: August 21, 2020

Respectfully Submitted,

/s/ Marc G. Wagman
Potestivo & Associates, P.C.
Marc G. Wagman (6282192)
223 W Jackson Blvd., Suite 610
Chicago, IL 60606
Telephone: 312-263-0003
Main Fax: 312-263-0002
Cook County Firm ID #: 43932
DuPage County Firm ID #: 223623
Attorneys for Flagstar Bank, FSB
mwagman@potestivolaw.com

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AFFIDAVIT OF SERVICE

I, Rachelle Magolan, state that on the 21st day of August 2020, I served a copy of the Response to Debtor's Objection to Proof of Claim No. 9, and Affidavit of Service of same upon the below listed parties:

Lawrence Boyd
Odessa Boyd
17515 W. Stillwater Court
Gurnee, IL 60031

David M. Siegel
790 Chaddick Drive
Wheeler, IL 60090

Glenn B. Stearns
801 Warrenville Road, Suite 650
Lisle, IL 60532

Patrick S. Layng
Office of the United States Trustee,
Region 11
219 S. Dearborn St, Room 873
Chicago, IL 60604

By placing same in a well sealed envelope, by first class mail, with the proper prepaid postage thereon and depositing same in a United States Mail receptacle in the City of Rochester, State of Michigan to Debtors and via CM-ECF electronic filing to the Debtors' attorney and the Trustee and the U.S. Trustee.

/s/ *Rachelle Magolan*
Rachelle Magolan